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July 8, 1998

via facsimile

Mr. Charles Koerber
1103 Crystal Plaza 1
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Re: U.S. Patent Application No. 08/338,567
"HEALTH SUPPLEMENTS CONTAINING PHYTO-OESTROGENS,
ANALOGUES OR METABOLITES THEREOF"
by Graham Edmund Kelly

Dear Charlie:

Following up our phone discussion of last week, here is the Power to Inspect and Make Copies relating to the above-referenced patent application, which is presently in the Office of Petitions, awaiting a decision on our Petition for Entry of Late Assignment Papers and for Patent to Issue to Assignee Under 37 C.F.R. §3.81(b). I was informed by a Mr. Dombroske, in response to a telephone inquiry on or about June 17, 1998, that the pending petition probably would not be reached for action until sometime in August 1998, at the earliest. As I mentioned to you, the applicant urgently wishes to move this application toward allowance because of a licensing commitment.

In accordance with your suggestion, I am attaching a chronology of the relevant dates from which you can see the unusually long delay in the processing of this application to issuance. I readily acknowledge that we are in part responsible for some of the delay, particularly because of the late filing of the assignment papers. However, if I had realized the length of the resulting delay, I would have refrained altogether from submitting the assignment papers.

The question at-hand is whether our petition for entry of late assignment papers under Rule 3.81(b) can now be formally withdrawn and, if so, will such withdrawal result in the

Graham Edmund Kelly 3059285